

### **REMARKS**

Claims 1, 2, 4-14 and 17-23 are pending in this application. By this response, no claims have been amended, added or cancelled. Accordingly, claims 1, 2, 4-14 and 17-23 remain pending.

In the Office Action dated March 17, 2010, the following rejections were made:

Claims 1,2,5,9-14,18,22 and 23 were rejected under 35 U.S.C. § 102(b) as being purportedly anticipated by Walker *et al.* (U.S. Patent No. 5,759,371) (“Walker”); and,

Claims 4, 6-8, 17 and 19-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nobutoh *et al.* (U.S. Publication No. 2003/0177978 A1).

Applicant traverses the above rejections, and respectfully request reconsideration of same in view of the following comments.

### **ARGUMENTS**

While Applicant agrees with the Examiner’s position that the claims 1 and 13 do not require “evaluating,” Applicant submits that independent claims 1 and 13 contain claims features that are neither disclosed nor suggested in the cited prior art.

Specifically, claim 1 includes the following step:

measuring the maximum starting current which flows through the article at the start of immersion coating and ***using this measured starting current to determine the surface of the article exposed to the lacquer...***

Claim 1, *supra* (emphasis added).

Similarly, claim 13 includes the following feature:

a computer which determines the thickness of the layer of lacquer from the charge measured by the charge measurement apparatus and the surface of the article exposed to the lacquer, ***wherein the maximum starting current which flows through the article at the start of immersion coating can be stored in the computer and utilized to determine the surface of the article exposed to the lacquer.***

Claim 13, *supra* (emphasis added).

Applicant submits that Walker does not disclose a device or method wherein the

maximum starting current is used to determine the surface.

The Office Action cites to the follow passage for support that Walker discloses the above features of claims 1 and 13:

col. 4, lines 26-30;  
col. 3, lines 40-55;  
Fig. 4; and,  
col. 7, lines 56-58.

Applicant submits that none of these cited portions disclose the claimed features. Specifically column 3, lines 40-55 describes that the electrical current flow is disabled "in response to the electrical current flow reaching or exceeding a predetermined level." But this passage (as is the entire reference) is only concerned with the issue of avoiding over currents – the surface of the article (counter-electrode 100) is neither explicitly nor implicitly mentioned.

Similarly col. 4, lines 26-30 merely describes that the disclosed invention includes a large, stable source of current, and it is silent on the claimed features.

With respect to col. 7, lines 56-58, what is disclosed is that data relating to the surface (surface area or desired paint thickness) are fed to the PLC 130. Again, this portion is silent on the claimed features of using the maximum starting current to determine the surface.

Further, the claimed features are not depicted in Fig. 4.

The claimed features (which are described extensively in the specification, *see, e.g.*, ¶¶ 0010-0017) are not disclosed by the cited art. Moreover, there is no suggestion or motivation for one of skill in the art to modify the devices of Walker to include the claimed features.

Accordingly, Applicant submits that claims 1 and 13 are patentable over the cited prior art, as they contain features that are neither disclosed nor suggested by same.

In addition, Applicant submits that the remaining dependent claims are patentable as well as they depend from a patentable independent claim.

**CONCLUSION**

In view of the above, it is submitted that the present application is in condition for issuance and a notice of allowance is respectfully solicited.

If any additional fees are required with this correspondence, the Commissioner is authorized to debit our Deposit Account 50-0545.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully solicited.

Dated: April 29, 2010

Respectfully Submitted,

/Patrick J. Smith/  
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